



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,177	05/12/2008	Kazuo Komatsu	P/1929-99	5058

2352 7590 07/22/2010
OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK, NY 100368403

EXAMINER

SMITH, COURTNEY L

ART UNIT	PAPER NUMBER
----------	--------------

2835

MAIL DATE	DELIVERY MODE
-----------	---------------

07/22/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/588,177	Applicant(s) KOMATSU, KAZUO	
	Examiner COURTNEY SMITH	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08/02/06, 05/12/08 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 26-51**, are rejected under 35 U.S.C. 103(a) as being unpatentable over **(Azarian 6,238,467)** in view of **(Dauber 5,593,482)**.

Regarding Claim 26, Azarian discloses a composite sheet **(Col. 3, lines 25-30--carbon composite between two filter media layers)** comprising a first sheet **(one of the already disclosed filter layers of the composite sheet)** having air permeability **(permeability--Col. 9, lines 25-30)**, waterproofness **(waterproof--Col. 9, lines 53-60)** and dustproofness **(filtering pollutants, particles and contaminants--Col. 3, lines 12-23)**; a second sheet **(another of the already disclosed filter layers of the composite sheet)** having air permeability; and a layer of activated carbon sandwiched between the first and second sheets **(as already set forth at Col. 3, lines 25-30)**.

Except, Azarian does not explicitly disclose the air permeability below a level of 13 Gurley seconds and the waterproofness and dustproofness above a level that satisfies IP65. However, **Dauber** discloses air permeability below a level of 13 Gurley seconds **(permeability of 7 Gurley sec.--Col. 8, lines 1-13)** and the waterproofness and dustproofness above a level that satisfies IP65 **(Col. 4, lines 32-53--wherein the adsorbent comprises 100% adsorbent materials; whereas IP65 denotes the ability**

Art Unit: 2835

to prevent a jet of water from passing there-though). It would have been obvious to one having ordinary skill in the art at the time that the invention was made to provide the composite sheet of Azarian with the permeability configuration of Dauber in order to improve filtering reliability and prevent the passage of contaminants.

Regarding Claims 27-29, 31-37, and 42-48, Azarian discloses the composite sheet as claimed in claim 26, wherein the composite sheet comprises the carbon sheet **(as already disclosed)** including non-woven fabrics **(non-woven layers--as disclosed by Col. 9, lines 38-47, and further disclosed by Col. 8, lines 35-39)** and the layer of activated carbon sandwiched between the non-woven fabrics **(as already set forth in claim 1)** and a fine-hole sheet **(Col. 23, lines 32-50--wherein adhesive layer is covered with a microporous layer)** having a large number of fine pores superposed on the carbon sheet **(wherein the microporous adhesive covers the already disclosed composite sheet)**, and wherein the first sheet comprises the fine-hole sheet **(as already set forth)** and one of the non-woven fabrics superposed on the fine-hole sheet **(wherein Col. 23, lines 32-50 discloses the microporous adhesive on the PTFE composite sheet by Col. 9, lines 38-47 and the PTFE is already disclosed as non-woven fabric)**, and the second sheet comprises the other of the non-woven fabrics **(a further disclosed by Col. 9, lines 51-67--Col. 10, lines 1-7--where respective first and second filter sheets PTFE are disclosed, and each sheet is non-fabric, as already set forth).**

Regarding Claims 30, & 41 Azarian discloses the closed type casing/device (**laptop--Col. 2, lines 46-52**), comprising: a heat radiating structure (**as constituted by air receiving interior of disk drive enclosure--Col. 2, lines 44-61**); and a casing (**Col. 1, lines 11-31--where disk drive enclosure encapsulates mechanical, optical and electrical equipment**) for encapsulating incorporated equipment and a ventilation hole (**vent hole--Col. 2, lines 53-61**), wherein the heat radiating structure includes the ventilation hole (**as already set forth, where the vent hole is on the enclosure**) and the composite sheet as claimed in claim 26 attached to the casing so as to cover the ventilation hole (**as already set forth wherein the composite sheet is mounted and sealed over the vent hole**), and the composite sheet is attached to the casing with the first sheet facing outward and second sheet facing inward (**as constituted by the composite sheet mounted and sealed over vent hole**).

Regarding Claims 38 & 49, Azarian discloses the closed type casing as claimed in claim 30, wherein a discharge hole (**where air exits 96, 98 via discharge hole of enclosure 88-Fig. 8b**) for discharging external air introduced through the ventilation hole using a blower (**fan--Col. 3, lines 59-66--where filters of the vent holes are place in front of a fan**) provided in the casing is formed in the casing at the opposite position to the ventilation hole.

Art Unit: 2835

Regarding Claims 40 & 51, Azarian discloses the closed type device as claimed in claim 30, wherein the ventilation hole is formed in a part of an openable door **(wherein lid-116-Fig. 8b defines the already disclosed ventilation hole that receives 98)** of the casing.

Regarding Claims 39 & 50, Azarian discloses the closed type device as claimed in claim 30, **except** explicitly wherein the casing has electrically conductive property and the layer of activated carbon and casing are electrically connected to each other.

However, **Dauber** discloses wherein the casing has electrically conductive property and the layer of activated carbon and casing are electrically connected to each other **(Col. 3, lines 1-10--wherein the adsorbent assembly is mounted to the exterior of an enclosure providing a shield from EMI)**. It would have been obvious to one having ordinary skill in the art at the time that the invention was made to provide the casing of Azarian with the electrically connected carbon and casing of Dauber in order to improve EMI shielding and preventing radiation leakage.

Response to Arguments

3. Applicant's arguments with respect to claims 26-51 have been considered but are moot in view of the new ground(s) of rejection. The amended claim have been rejected using prior art, Azarian from the previous rejection in view of newly cited art Dauber.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to COURTNEY SMITH whose telephone number is (571)272-9094. The examiner can normally be reached on M-F 7:30 am-5 pm (1st Fri. off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayprakash Gandhi can be reached on 571-272-3740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2835

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. S./

Examiner, Art Unit 2835

/Jayprakash N Gandhi/

Supervisory Patent Examiner, Art Unit 2835